

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

PLUMBERS' & PIPEFITTERS' LOCAL #562
SUPPLEMENTAL PLAN & TRUST and
PLUMBERS' & PIPEFITTERS' LOCAL #562
PENSION FUND, On Behalf of Themselves
and All Others Similarly Situated,

Plaintiffs,

v.

J.P. MORGAN ACCEPTANCE CORP. I, *et al.*,

Defendants.

No. 08-cv-1713 (PKC) (WDW)

ECF CASE

**LEAD PLAINTIFF'S NOTICE OF UNOPPOSED MOTION AND MOTION FOR
(I) PRELIMINARY APPROVAL OF SETTLEMENT, (II) CERTIFICATION OF THE
PROPOSED CLASS, (III) APPROVAL OF THE FORM AND MANNER OF NOTICE
TO THE CLASS, AND (IV) SCHEDULING OF A SETTLEMENT HEARING**

PLEASE TAKE NOTICE that upon the accompanying Lead Plaintiff's Memorandum of Law in Support of Its Unopposed Motion for (I) Preliminary Approval of Settlement, (II) Certification of the Proposed Class, (III) Approval of the Form and Manner of Notice to the Class, and (IV) Scheduling of a Settlement Hearing, and the Stipulation and Agreement of Settlement (with exhibits), filed simultaneously herewith, and all prior proceedings in this Action, through its undersigned counsel, Lead Plaintiff the Public Employees' Retirement System of Mississippi ("MissPERS" or "Lead Plaintiff"), pursuant to Rule 23 of the Federal Rules of Civil Procedure, now moves this Court before the Honorable Judge Chen at the United States Courthouse for the Eastern District of New York, 225 Camden Plaza East, Brooklyn, New York 11201, at a time and date to be determined by the Court, for an order granting:

- (1) Preliminary approval of the proposed Settlement between Lead Plaintiff, on behalf of itself and the proposed Class, and Defendants J.P. Morgan Securities Inc. (now known as J.P. Morgan Securities LLC), J.P. Morgan Acceptance Corporation I, and the Individual Defendants;
- (2) Certification of the proposed Class for purposes of the Settlement only;
- (3) Approval of the form, content and manner of the class notices to Class Members; and
- (4) Scheduling of a hearing, and certain deadlines related thereto, on final approval of the Settlement, proposed Plan of Allocation and Lead Counsel's motion for an award of attorneys' fees and reimbursement of Litigation Expenses.

Notwithstanding the Court's Individual Practices and Rules, this Motion is being filed with the Court before it has been fully briefed as Lead Plaintiff is aware of no opposition to this Motion and no Pre-Motion Conference is required for settlement motions.

The parties' agreed-upon form of proposed Preliminary Approval Order, with exhibits thereto, is attached hereto as Exhibit A.¹

Dated: New York, New York
March 10, 2014

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/s/ David R. Stickney
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¹ The proposed Preliminary Approval Order attached hereto as Exhibit A includes the following exhibits: (1) proposed Notice (Exhibit A-1, with Appendix A thereto, but without the voluminous Tables B-C, which, as stated in the Notice, will be available on the Settlement website and by contacting the Claims Administrator); (2) proposed Proof of Claim Form (Exhibit A-2); and (3) proposed Summary Notice (Exhibit A-3). The Stipulation and Agreement of Settlement, filed simultaneously herewith, includes all exhibits thereto, but the confidential Appendix 1 thereto is redacted, and available to the Court *in camera* upon request.

-and-

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/s/ Marian P. Rosner

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